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**Fax Information Sheet**Date: November 18, 2003Time: 6:27 PM5 Total Number of Pages (Including Cover Sheet)Office Fax Number  
203-323-6513**I. Please Deliver To:**Name

Exr. Jon P. Weber

Firm

U.S. Patent and Trademark Office

Fax Number

703-872-9306

**Re: Serial No. 09/805,610****Monochromatic Fluid Treatment Systems****II. From:**Name Basam E. NabulsiAtty # 3067Operator Name Joan SimmonsOperator Number 203-324-1800**III. Confirmation:**

Telephone No. \_\_\_\_\_

Name (or Title) \_\_\_\_\_

Client/Matter Number 98103.00005

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98103.00005  
(formerly 875031.0005)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

John J. Coogan, Jr., et al.

Examiner: Weber, Jon P.

Serial No.: 09/805,610

Group Art Unit: 1651

Filed: March 13, 2001

For: **MONOCHROMATIC FLUID TREATMENT SYSTEMS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL**  
**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In a Patent Office Communication dated October 27, 2003, it was indicated that applicants' previous submission failed to set forth an election in response to the Restriction Requirement dated July 14, 2003. In a telephone conversation with Examiner Weber on November 18, 2003, the undersigned advised Examiner Weber that the previous submission included an election of Group I in the final paragraph on page 1. Due to a scanning issue at the Patent Office, applicants' previous election of Group I was not known to the Examiner.


Applicants submit herewith a copy of the previous submission which was filed with the Patent Office under a Certificate of Mailing dated September 12, 2003. As set forth therein, applicants have elected the claims of Group I, with traverse.

Reconsideration and withdrawal of the outstanding Patent Office  
Communication is respectfully requested.

Applicants respectfully request prompt examination of the subject  
application in view of Applicants' election as set forth in the enclosed response.

Respectfully submitted,

November 18, 2003

  
Basam E. Nabulsi, Reg. No. 31,645  
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**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In an Office Action dated July 14, 2003, the Examiner has set forth a restriction requirement under 35 U.S.C. § 121, requiring election of one of the following groups for further examination:

- I. Claims 1-9 and 16-21, drawn to a system for treating samples with non-laser (excimer) monochromatic light, classified in class 422, subclass 24;
- II. Claims 10-15, drawn to a non-laser (excimer) light source, classified in class 313, subclass 35; and
- III. Claims 22-32, drawn to a method for treating samples with non-laser (excimer) monochromatic light so as to destroy nucleic acid in microorganisms, classified in class 435, subclasses 173.1 and 173.2.

In response to the restriction requirement, Applicants hereby elect Group I for further examination, *with traverse*.

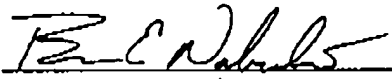
Applicants contend that restriction is improper because the search and examination of all claims in this application can be made without being a serious burden on the Examiner. Moreover, applicants respectfully submit that, at a minimum, the subject matter of Groups I and III derive from common subject matter, and may be searched and examined without being a serious burden on the Examiner. Thus, it is respectfully requested that the restriction requirement be withdrawn, and each of Claims 1-32 presently pending in this application be examined.

Applicants specifically reserve the right to pursue all non-elected claims through continuations and divisionals, as appropriate.

Applicants respectfully request prompt examination of the subject application in view of Applicants' election as set forth herein.

Respectfully submitted,

Date: September 12, 2003

  
Basam E. Nabulsi, Reg. No. 31,645  
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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Basam E. Nabulsi  
Type or Print Name

  
Signature

9/12/03  
Date

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